



In the Supreme Court of Iowa

**Request for Public Comment)
Regarding Proposed Amendments)
to the Rules Governing Court)
Interpreters—Chapters 47 and 48)
of the Iowa Court Rules)**

Order

The Court Interpreter Policies Advisory Committee has proposed amendments to Iowa Court Rules Chapter 47—Rules on the Qualifications, Appointment, and Compensation of Court Interpreters, and to Chapter 48—Code of Professional Conduct for Judicial Branch Interpreters.

Chapter 47 was last amended in 2008. The advisory committee has identified a number of developments since then to be addressed. The committee recommends new or substantially expanded provisions of parts of chapter 47, including, among others, the following:

- Rule 47.3—Scheduling and appointing a court interpreter.
- Rule 47.7—Mandatory continuing education.
- Rule 47.10—Complaint and disciplinary process.
- Rule 47.13—Written translations of court-related materials.

In addition, Rule 47.9 would officially establish a “Language Access in the Courts Advisory Committee,” to replace the Court Interpreter Policies Advisory Committee. The new committee would play a role in an expanded disciplinary process established in rule 47.10 on disciplinary actions, and the committee would provide guidance to the state court administrator and the office of professional regulation on policy-related issues. The proposed revisions to chapter 47 are sufficiently comprehensive that the committee recommends rescinding current chapter 47 and replacing it with a new chapter 47 provided with this order.

Chapter 48 of the Iowa Court Rules was adopted in 2004. The amended Code of Professional Conduct for Judicial Branch Interpreters “governs the delivery of services by oral and sign language interpreters and translators in legal proceedings or in offices of the Iowa Judicial Branch.” The code “describes the role and defines the duties of interpreters” with the goal of enhancing the administration of justice and promoting public confidence in the courts. The comments guide the conduct of interpreters and “should be read broadly to guide the conduct of translators and real-time court reporters.” Advisory committee recommendations include new provisions and clarification of several topics the code of conduct addresses.

The committee recommends changing the title of Chapter 48 of the Iowa Court Rules to “Code of Professional Conduct for Court Interpreters and Translators,” and extending applicability of the code to the role and preparation of interpreters in “legal proceedings” as defined in a new section providing definitions of terms used in the code. The canons also apply to “real-time court reporters providing language access to deaf or hearing-impaired persons who can read English.” The comments guide the conduct of interpreters and also “should be read broadly to guide the conduct of translators and real-time court reporters.” Prior to taking further action on the proposed recommendations, the supreme court seeks public comment on the proposed rescission and replacement of Chapter 47 of the Iowa Court Rules and the amendments to Chapter 48 of the Iowa Court Rules. Copies of the proposed rules and amendments can be found at http://www.iowacourts.gov/About_the_Courts/_Supreme_Court/Orders/. In addition, copies of the proposed rules and amendments are available at the office of the Clerk of the Iowa Supreme Court.

This request for public comment does not imply that any proposed recommendation will be adopted.

Any interested organization, agency, or person may submit written comments. Comments about a proposed rule must refer to the specific rule number (for example, Rule 47.8(4)) and the specific numbered line or lines to which the comments are directed. Comments sent by email must be emailed to **rules.comments@iowacourts.gov**, must state **"Court Interpreters"** in the subject line of the email, and must be sent **as an attachment to the email in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Iowa Supreme Court, 1111 East Court Avenue, Des Moines, Iowa, 50319.

Any comments received may be posted on the Iowa Judicial Branch website.

The deadline for submitting comments is 4:30 p.m. on October 21, 2014.

Dated this 22nd day of August, 2014.

The Supreme Court of Iowa

By


Mark S. Cady, Chief Justice